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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: December 8, 2004 Name: Andrew D. Stover, Reg. No. 38,629 Signature:

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Jerome S. Veith

Appln. No.: 10/693,555

Filed: October 24, 2003

For: DISPOSABLE ABSORBENT
UNDERGARMENT FOR MALES

Examiner: Not yet assigned

Art Unit: 3761

Attorney Docket No: 659/1148 (KC 18546)

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ a Second Supplemental Information Disclosure Statement (in duplicate); Form PTO-1449; 6 Cited References (C4-C9).
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 44=			x \$88=	
First Presentation of Multiple Dep. Claim					+\$150=			+ \$300=	
					Total	\$		Total	\$

Fee payment:

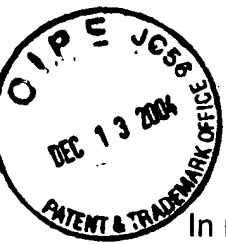
- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

12/08/04

Andrew D. Stover (Reg. No. 38,629)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Jerome S. Veith
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SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference(s):

U.S. Patent Documents

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	PATENTEE
4,655,760	04/1987	Wisneski et al.
4,846,827	07/1989	Thorson et al.
5,376,198	12/1994	Fahrenkrug et al.

Foreign Patent Documents

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY
EP 0 321 980 A2	06/1989	Europe
EP 0 321 985 A2	06/1989	Europe
JP 11-348221 A	12/1999	Japan
GB 2 263 859 A	08/1993	United Kingdom
WO 02/24011 A1	03/2002	WIPO

Other Art Documents

OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small>
International Search Report in International Application No. PCT/US03/18169, dated September 8, 2004, 8 pages.

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). Pursuant to the undersigned attorney's obligation and duties under 37 C.F.R. §§ 1.56 and 1.98(a)(3) and (c), English language abstracts for Japanese Patent No. 11-348221 A and WIPO Publication No. 02/24011 A1, which are not in English, are included for the express purpose of providing a concise explanation of the references to the Patent and Trademark Office with the opportunity to evaluate the same.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

This Second Supplemental Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). In addition, the undersigned attorney hereby states that each item of information contained in this Second Supplemental Information Disclosure Statement was first cited in a counterpart PCT application PCT/US03/18169 on September 8, 2004, which is not more than three months prior to the filing date of this statement. No fees are believed to be due in connection with filing of this Second Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

Date

12/08/04

Respectfully submitted



Andrew D. Stover (Reg. No.38,629)



FORM PT-1449	SERIAL NO. 10/693,555	CASE NO. 659/1148 (KC 18546)
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE October 24, 2003	GROUP ART UNIT 3761
(use several sheets if necessary)		APPLICANT(S): Jerome S. Veith

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	C1	4,655,760	04/1987	Wisneski et al.		
	C2	4,846,827	07/1989	Thorson et al.		
	C3	5,376,198	12/1994	Fahrenkrug et al.		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	C4	EP 0 321 980 A2	06/1989	Europe		
	C5	EP 0 321 985 A2	06/1989	Europe		
	C6	JP 11-348221 A	12/1999	Japan		Abstract
	C7	GB 2 263 859 A	08/1993	United Kingdom		
	C8	WO 02/24011 A1	03/2002	WIPO		Abstract

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small>	
	C9	International Search Report in International Application No. PCT/US03/18169, dated September 8, 2004, 8 pages.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.